

Petition to Classify Orphan as an Immediate Relative

1. Eligibility.

- a. **Child.** Under immigration law, an orphan is an alien child who has no parents because of the death or disappearance of, abandonment or desertion by, or separation or loss from both parents. An orphan is also a child who has only one parent who is not capable of taking care of the orphan and has, in writing, irrevocably released the orphan for emigration and adoption. A petition to classify an alien as an orphan may not be filed in behalf of a child in the United States unless that child is in parole status and has not been adopted in the United States. The petition must be filed before the child's sixteenth birthday.
- b. **Parent(s).** The petition may be filed by a married United States citizen and spouse or unmarried United States citizen at least twenty-five years of age. The spouse does not need to be a United States citizen.
- c. **Adoption abroad.** If the orphan was adopted abroad, it must be established that both the married petitioner and spouse or the unmarried petitioner personally saw and observed the child prior to or during the adoption proceedings. The adoption decree must show that a married petitioner and spouse adopted the child jointly or that an unmarried petitioner was at least twenty-five years of age at the time of the adoption.
- d. **Proxy adoption abroad.** If both the petitioner and spouse or the unmarried petitioner did not personally see and observe the child prior to or during the adoption proceedings abroad, the petitioner (and spouse, if married) must submit a statement indicating the petitioner's (and, if married, the spouse's) willingness and intent to readopt the child in the United States. If requested, the petitioner must submit a statement by an official of the state in which the child will reside that readoption is permissible in that state. In addition, evidence of compliance with the preadoption requirements, if any, of that state must be submitted.
- e. **Preadoption requirements.** If the orphan has not been adopted abroad, the petitioner and spouse or the unmarried petitioner must establish that the child will be adopted in the United States by the petitioner and spouse jointly or by the unmarried petitioner and that the preadoption requirement, if any, of the state of the orphan's proposed residence have been met.

2. Filing petition for known child.

An orphan petition for a child who has been identified must be submitted on a completed Form I-600 with the certification of petitioner executed and the required fee. If the petitioner is married, the Form I-600 must also be signed by the petitioner's spouse. The petition must be accompanied by the following:

- a. Proof of United States citizenship of the petitioner.
 - (1) If the petitioner is a citizen by reason of birth in the United States, submit the petitioner's birth certificate, or if birth certificate is unobtainable, a copy of petitioner's baptismal certificate under seal of the church, showing place of birth, (baptism must have occurred within 2 months after birth), or if birth or baptismal certificate cannot be obtained, affidavits of two United States citizens who have personal knowledge of petitioner's birth in the United States.
 - (2) If the petitioner was born outside the United States and became a citizen through the naturalization or citizenship of a parent or husband and has not been issued a certificate of citizenship in his/her own name, submit evidence of the citizenship and marriage of the parent or husband, as well as termination of any prior marriages.

Also, if petitioner claims citizenship through a parent, submit petitioner's birth certificate and a separate statement showing the date, place, and means of all his/her arrivals and departures into and out of the United States.

- (3) If petitioner's naturalization occurred within 90 days immediately preceding the filing of this petition, or if it occurred prior to September 27, 1906, the naturalization certificate must accompany the petition.

An unexpired U.S. passport valid for five years may also be submitted.

- b. Proof of marriage of petitioner and spouse. The married petitioner should submit a certificate of the marriage and proof of termination of all prior marriages of himself/herself and spouse. In the case of an unmarried petitioner who was previously married, submit proof of termination of all prior marriages. NOTE: If any change occurs in the petitioner's marital status while the case is pending, the District Director should be notified immediately.
- c. Proof of age of orphan. Petitioner should submit certificate of orphan's birth if obtainable; if not obtainable, submit an explanation together with the best available evidence of birth.
- d. Death certificate(s) of the child's parent(s), if applicable.
- e. A certified copy of adoption decree together with certified translation, if the orphan has been lawfully adopted abroad.
- f. Evidence that the sole or surviving parent is incapable of providing for the orphan's care and has in writing irrevocably released the orphan for emigration and adoption, if the orphan has only one parent.
- g. Evidence that the orphan has been unconditionally abandoned to an orphanage, if the orphan has been placed in an orphanage by his/her parent or parents.
- h. Evidence that the preadoption requirements, if any, of the state of the orphan's proposed residence have been met, if the child is to be adopted in the United States. If it is not possible to submit this evidence upon initial filing of the petition under the laws of the state of proposed residence, it may be submitted later. The petition, however, will not be approved without it.
- i. A home study with a statement or attachment recommending or approving of the adoption or proposed adoption signed by an official of the responsible state agency in the state of the child's proposed residence or of an agency authorized by that state, or, in the case of a child adopted abroad, of an appropriate public or private adoption agency which is licensed in the United States. Both individuals and organizations may qualify as agencies. If the recommending agency is a licensed agency, the recommendation must set forth that it is licensed, the state in which it is licensed, its license number, if any, and the period of validity of its license. The research, including interviewing, however, and the preparation of the home study may be done by an individual or group in the United States or abroad satisfactory to the recommending agency. A responsible state agency or licensed agency can accept a home study made by an unlicensed or foreign agency and use that home study as a basis for a favorable recommendation. The home study must contain, but is not limited to, the following elements:

- (1) The financial ability of the adoptive or prospective parent or parents to read and educate the child.
- (2) A detailed description of the living accommodations where the adoptive or prospective parent or parents currently reside.
- (3) A detailed description of the living accommodations where the child will reside.
- (4) A factual evaluation of the physical, mental, and moral capabilities of the adoptive or prospective parent or parents in relation to rearing and educating the child.

j. Fingerprints.

Each member of the married prospective adoptive couple or the married prospective adoptive parent, and each additional adult member of the prospective adoptive parents' household must be fingerprinted in connection with this petition. *Petitioners residing in the United States.* After filing this petition, INS will notify each person in writing of the time and location where they must go to be fingerprinted. Failure to appear to be fingerprinted may result in denial of the petition. *Petitioners residing abroad.* Completed fingerprint cards (Forms FD-258) must be submitted with the petition. Do not bend, fold, or cease completed fingerprint cards. Fingerprint cards must be prepared by a United States consular office or a United States military installation.

3. **Filing petition for known child without full documentation on child or home study.** When a child has been identified but the documentary evidence relating to him/her or the home study is not yet available, an orphan petition may be filed without that evidence or home study. The evidence outlined in Instructions 2a, and 2b, however, must be submitted. If the necessary evidence relating to the child or the home study is not submitted within one year from the date of submission of the petition, the petition will be considered abandoned, and the fee will not be refunded. Any further proceeding will require the filing of a new petition.

4. **Submitting an application for advance processing of an orphan petition in behalf of a child who has not been identified.** A prospective petitioner may request advance processing when the child has not been identified or when the prospective petitioner and/or spouse are/is going abroad to locate or adopt a child. If unmarried, the prospective petitioner must be at least twenty-four years of age provided that he/she will be at least twenty-five at the time of the adoption and the completed petition in behalf of a child is filed. The request must be on Form I-600A, Application for Advance Processing of Orphan Petition, and must be accompanied by the evidence required by that form. After a child or children are located and/or identified, a separate Form I-600, Petition to Classify Orphan as an Immediate Relative, must be filed for each child. A new fee is not required if only one Form I-600 is filed, if it is filed within one year of completion of all advance processing in a case where there has been a favorable determination concerning the prospective petitioner's ability to care for a beneficiary orphan. Normally, Form I-600 should be submitted to the office of this Service where the advance processing application was filed. A prospective petitioner who is going abroad to adopt or locate a child in a country other than Austria, Germany, Greece, Italy, Korea, the Philippines, Hong Kong, Mexico, Singapore, Uruguay, or Thailand, however, should file Form I-600 at the American consulate or embassy having jurisdiction over the place where the child is residing or will be located unless the case is being retained at the stateside office. A prospective petitioner who is going aboard to adopt or locate a child in Austria, Germany, Greece, Italy, Korea, the Philippines, Singapore, Hong Kong, Mexico, Uruguay, or Thailand should file Form I-600 at the Service office having jurisdiction over the place where the child is residing or will be located unless the case is being retained at the stateside office. The case may be retained at the stateside office if the petitioner requests it and it appears that the case will be processed more quickly that way.

5. **Documents in General.** All supporting documents must be originals or official copies of the original records issued by and bearing the seals of the official custodians of the records. If return of the originals is desired and if copies are by law permitted to be made, photostatic or typewritten copies may be submitted. A photostatic copy unaccompanied by the original may be accepted if the copy bears a certification by an immigration or consular office that the copy was compared with the original and found to be identical. Any document in a foreign language must be accompanied by a translation in English. The translator must certify that he/she is competent to translate and that the translation is accurate. **Do not make a photostat of a certificate of naturalization or citizenship.**

6. **Submission of petition.** A petitioner residing in the United States should send the completed petition to the office of this Service having jurisdiction over his/her place of residence. A petitioner residing outside the United States should consult the nearest American consulate or embassy designated to act on the petition.

7. **Fee. Read instructions carefully.** A fee of four hundred five dollars (\$405) must be submitted for filing this petition. There is a twenty five dollar (\$25) per person fingerprinting fee in addition to the petition fee for each person residing in the United States and required to be fingerprinted. For example, if a petition is filed by a married couple residing in the United States with one additional adult member in their household, the total of fees that must be submitted is \$480. However, if a petition is filed by a married couple residing abroad, only the petition fee of \$405 must be submitted. One check or money order may be submitted for both the petition fee and the fingerprinting fees. It cannot be refunded regardless of the action taken on the petition. **Do not mail cash. All fees must be submitted in the exact amount.** Payment by check or money order must be drawn on a bank or other institution located in the United States and be payable in United States currency. If petitioner resides in Guam, check or money order must be payable to the "Treasurer, Guam". If petitioner resides in the Virgin Islands, check or money order must be payable to the "Commissioner of Finance of the Virgin Islands". All other petitioners must make the check or money order payable to the "Immigration and Naturalization Service". When a check is drawn on the account of a person other than the petitioner, the name of the petitioner must be entered on the face of the check. If petition is submitted from outside the United States, remittance may be made by bank international money order or foreign draft drawn on a financial institution in the United States and payable to the Immigration and Naturalization Service in United States currency. Personal checks are accepted subject to collectibility. An uncollectible check in payment of a petition fee will render the petition and any document issued invalid. A charge of \$30.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn. **When more than one petition is submitted by the same petitioner in behalf of orphans who are siblings, only one set of petition and fingerprinting fees will be required.**

8. **Assistance.** Assistance may be obtained from a recognized social agency or from any public or private agency. The following recognized social agencies, which have offices in many of the principal cities of the United States, have agreed to furnish assistance:

American Branch of International Social Services, Inc.
345 East 46th Street
New York, New York 10017

Greek Archdiocese of North and South America
10 East 79th Street
New York, New York 10021

United HIAS Service, Inc.
200 Park Avenue South
New York, New York 10003

**Catholic Committee for Refugees
United States Catholic Conference**
201 Park Avenue South
New York, New York 10003

Church World Service, Inc.
475 Riverside Drive
New York, New York 10027

9. **Penalties.** Willful false statements on this form or supporting documents can be punished by fine or imprisonment. U.S. Code, Title 18, Sec. 1001 (Formerly Sec. 80.)
10. **Authority.** 8 U.S.C 1154(a). Routine uses for disclosure under the Privacy Act of 1974 have been published in the Federal Register and are available upon request. The Immigration and Naturalization Service will use the information to determine immigrant eligibility. Submission of the information is voluntary, but failure to provide any or all of the information may result in denial of the petition.
11. **Reporting Burden.** A person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Department of Justice, Immigration and Naturalization Service 425 I Street N.W. (Room 5307), Washington, D.C. 20536; OMB No. 1115-0049, **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

Please do not write in this block.

TO THE SECRETARY OF STATE;

The petition was filed by:

☐ Married petitioner ☐ Unmarried petitioner

The petition is approved for orphan:

☐ Adopted abroad ☐ Coming to U.S. for adoption.
Preadoption requirements have been met.

Remarks:

Fee Stamp

File number

DATE OF
ACTION

DD

DISTRICT

Please type or print legibly in ink. Use a separate petition for each child.

Petition is being made to classify the named orphan as an immediate relative.

BLOCK I - Information About Prospective Petitioner

1. My name is: (Last) (First) (Middle)

2. Other names used (including maiden name if appropriate):

3. I reside in the U.S. at: (C/O if appropriate) (Apt. No.)

(Number and street) (Town or city) (State) (ZIP Code)

4. Address abroad (if any): (Number and street) (Apt. No.)

(Town or city) (Province) (Country)

5. I was born on: (Month) (Day) (Year)

In: (Town or City) (State or Province) (Country)

6. My phone number is: (Include Area Code)

7. My marital status is:

☐ Married
☐ Widowed
☐ Divorced
☐ Single

☐ I have never been married.

☐ I have been previously married _____ time(s).

8. If you are now married, give the following information:

Date and place of present marriage

Name of present spouse (include maiden name of wife)

Date of birth of spouse

Place of birth of spouse

Number of prior marriages of spouse

My spouse resides ☐ With me ☐ Apart from me

(provide address below)

(Apt. No.) (No. and street) (City) (State) (Country)

9. I am a citizen of the United States through:

☐ Birth ☐ Parents ☐ Naturalization ☐ Marriage

If acquired through naturalization, give name under which naturalized, number of naturalization certificate, and date and place of naturalization:

If not, submit evidence of citizenship. See Instruction 2.a(2).

If acquired through parentage or marriage, have you obtained a certificate in your own name based on that acquisition?

☐ No ☐ Yes

Have you or any person through whom you claimed citizenship ever lost United States citizenship?

☐ No ☐ Yes (If yes, attach detailed explanation.)

Continue on reverse.

Received	Trans. In	Ret'd Trans. Out	Completed

BLOCK II - Information About Orphan Beneficiary

10. Name at birth (First) (Middle) (Last)

11. Name at present (First) (Middle) (Last)

12. Any other names by which orphan is or was known.

13. Sex ☐ Male ☐ Female 14. Date of birth (Month/Day/Year)

15. Place of birth (City) (State or Province) (Country)

16. The beneficiary is an orphan because (check one):

- ☐ He/she has no parents
☐ He/she has only one parent who is the sole or surviving parent.

17. If the orphan has only one parent, answer the following:

- a. State what has become of the other parent:

- b. Is the remaining parent capable of providing for the orphan's support? ☐ Yes ☐ No
- c. Has the remaining parent, in writing, irrevocably released the orphan for emigration and adoption? ☐ Yes ☐ No

18. Has the orphan been adopted abroad by the petitioner and spouse jointly or the unmarried petitioner? ☐ Yes ☐ No

If yes, did the petitioner and spouse or unmarried petitioner personally see and observe the child prior to or during the adoption proceedings? ☐ Yes ☐ No

Date of adoption _____

Place of adoption _____

19. If either answer in question 18 is "No", answer the following:

- a. Do petitioner and spouse jointly or does the unmarried petitioner intend to adopt the orphan in the United States? ☐ Yes ☐ No
- b. Have the preadoption requirements, if any, of the orphan's proposed state of residence been met? ☐ Yes ☐ No
- c. If b. is answered "No", will they be met later? ☐ Yes ☐ No

20. To petitioner's knowledge, does the orphan have any physical or mental affliction? ☐ Yes ☐ No

If "Yes", name the affliction. _____

21. Who has legal custody of the child? _____

22. Name of child welfare agency, if any, assisting in this case: _____

23. Name of attorney abroad, if any, representing petitioner in this case. _____

Address of above. _____

24. Address in the United States where orphan will reside. _____

25. Present address of orphan. _____

25. If orphan is residing in an institution, give full name of institution. _____

26. If orphan is not residing in an institution, give full name of person with whom orphan is residing. _____

27. Give any additional information necessary to locate orphan such as name of district, section, zone or locality in which orphan resides. _____

28. Location of American Consulate where application for visa will be made.

(City in Foreign Country) (Foreign Country)

Certification of Prospective Petitioner

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I will care for an orphan/orphans properly if admitted to the United States.

(Signature of Prospective Petitioner) _____

Executed on (Date) _____

Certification of Married Prospective Petitioner's Spouse

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that my spouse and I will care for an orphan/orphans properly if admitted to the United States.

(Signature of Prospective Petitioner) _____

Executed on (Date) _____

Signature of Person Preparing Form if Other Than Petitioner

I declare that this document was prepared by me at the request of the prospective petitioner and is based on all information of which I have any knowledge.

(Signature) _____

Address _____

Executed on (Date) _____